

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** Chair Gordon Vance, on March 28, 2017 at 2:30 P.M., in Room 405  
Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Gordon Vance, Chair (R)  
Sen. Steve Fitzpatrick, Vice Chair (R)  
Sen. Carlie Boland (D)  
Sen. Dee Brown (R)  
Sen. Edward Buttrey (R)  
Sen. Jen Gross (D)  
Sen. JP Pomnichowski (D)  
Sen. Roger Webb (R)

**Members Excused:** Sen. Terry Gauthier (R)  
Sen. Lea Whitford (D)

**Members Absent:** None

**Staff Present:** Laura Sankey Keip, Legislative Branch  
Tia Stockton, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 358, 3/21/2017; SB 370, 3/27/2017

Executive Action: SB 358 - Be tabled  
SB 370 - Do pass

00:00:01 Chair Vance  
00:01:07 Sen. Gross  
00:01:19 Chair Vance

**HEARING ON SB 358**

**Opening Statement by Sponsor:**

00:01:34 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 358, Revise laws regarding removal of highway encroachments.

**Proponents' Testimony:**

00:04:12 Chris Marchion, Anaconda Sportsman's Club  
00:06:37 Harold Blattie, Montana Association of Counties (MACo)  
00:10:04 Nick Gevock, Montana Wildlife Federation (MWF)

[EXHIBIT\(his64a01\)](#)

**Opponents' Testimony:**

00:13:48 Shelby DeMars, United Property Owners of Montana (UPOM)  
[EXHIBIT\(his64a02\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:16:23 Sen. Gross  
00:17:02 Ms. DeMars, UPOM  
00:17:59 Sen. Gross  
00:18:25 Ms. DeMars  
00:19:15 Sen. Gross  
00:19:45 Ms. DeMars  
  
00:19:50 Sen. Buttrey entered the meeting.  
  
00:20:21 Sen. Brown  
00:21:04 Sen. Cohenour  
00:21:30 Sen. Brown  
00:21:42 Sen. Cohenour  
00:21:53 Mr. Blattie, MACo  
00:22:36 Sen. Brown  
00:24:03 Sen. Cohenour  
00:24:16 Sen. Brown  
00:24:21 Mr. Gevock, MWF

**Closing by Sponsor:**

00:25:09 Sen. Cohenour  
00:26:46 Chair Vance

**HEARING ON SB 370**

**Opening Statement by Sponsor:**

00:26:57 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 370, Provide for enhanced driver's license.

[EXHIBIT\(his64a03\)](#)

**Proponents' Testimony:**

00:31:19 Spook Stang, Motor Carriers of Montana (MCM)

00:33:00 Sen. Pomnichowski entered the meeting.

**Opponents' Testimony:** None

**Informational Testimony:**

00:33:19 Sarah Garcia, Motor Vehicle Division, Department of Justice (DOJ)

**Questions from Committee Members and Responses:**

00:33:56 Sen. Boland  
00:34:25 Sen. Fitzpatrick  
00:34:38 Sen. Boland  
00:34:50 Sen. Fitzpatrick  
00:35:05 Sen. Webb  
00:35:17 Mr. Stang, MCM  
00:35:56 Sen. Webb  
00:36:05 Mr. Stang  
00:36:38 Sen. Webb  
00:36:49 Mr. Stang  
00:37:12 Sen. Webb  
00:37:28 Sen. Fitzpatrick  
00:37:46 Sen. Buttrey  
00:37:58 Sen. Fitzpatrick  
00:38:15 Ms. Garcia, DOJ  
00:38:41 Sen. Buttrey  
00:38:52 Ms. Garcia  
00:40:03 Sen. Buttrey  
00:40:14 Ms. Garcia  
00:40:27 Sen. Buttrey  
00:40:52 Ms. Garcia  
00:41:30 Sen. Buttrey  
00:41:40 Ms. Garcia  
00:42:28 Chair Vance  
00:42:55 Ms. Garcia  
00:43:42 Chair Vance

**Closing by Sponsor:**

00:43:49 Sen. Fitzpatrick

00:43:59 Chair Vance

00:44:10 Sen Gross

00:44:21 Sen. Boland

00:44:30 Chair Vance

00:44:44 Recess

00:54:59 Reconvene

**EXECUTIVE ACTION ON SB 358**

00:55:04 **Motion:** Sen. Fitzpatrick moved that **SB 358 DO PASS.**

**Discussion:**

00:55:14 Chair Vance

00:55:18 Sen. Pomnichowski

00:56:46 Sen. Fitzpatrick

00:57:30 Sen. Buttrey

00:57:40 **Vote:** Motion failed 4-6 by roll call vote with Sen. Boland, Sen. Gross, Sen. Pomnichowski and Sen. Whitford voting aye. Sen. Gauthier and Sen. Whitford voted by proxy.

00:58:07 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 358 BE TABLED.** Motion carried 7-1 by voice vote with Sen. Pomnichowski voting no. Sen. Gauthier and Sen. Whitford were excused.

**EXECUTIVE ACTION ON SB 370**

00:58:28 **Motion:** Sen. Fitzpatrick moved that **SB 370 DO PASS.**

**Discussion:**

00:58:37 Sen. Gross

00:58:55 Sen. Brown

01:00:10 Sen. Gross

01:01:05 Sen. Brown

01:01:56 Sen. Gross

01:02:31 Sen. Webb

01:03:15 **Vote:** Motion carried 7-3 by roll call vote with Sen. D. Brown, Sen. Vance and Sen. R. Webb voting no. Sen. Gauthier and Sen. Whitford voted by proxy.

**Committee Business:**

01:03:49 Chair Vance

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01:04:40 Sen. Buttrey  
01:04:54 Chair Vance  
01:05:10 Sen. Brown  
01:05:45 Chair Vance  
01:05:57 Sen. Buttrey  
01:06:19 Chair Vance  
01:06:25 Sen. Buttrey  
01:06:36 Sen. Brown  
01:07:17 Sen. Webb  
01:07:22 Chair Vance  
01:07:34 Sen. Pomnichowski

01:07:38 **Motion/Vote:** Sen. Vance moved that **HB 334 BE REMOVED FROM TABLE.**  
Motion failed 3-5 by roll call vote with Sen. Buttrey, Sen. Fitzpatrick and Sen.  
Vance voting aye. Sen. Gauthier and Sen. Whitford were excused.

01:08:23 Chair Vance  
01:09:11 Sen. Brown  
01:09:29 Chair Vance  
01:09:39 Sen. Buttrey  
01:09:55 Chair Vance

**ADJOURNMENT**

Adjournment:

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Tia Stockton, Secretary

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**Additional Documents**

Additional Documents:

**EXHIBIT**([his64aad.pdf](#))